

## DECLARATION AND POWER OF ATTORNEY

### DECLARATION:

As below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

The below named inventors are the sole inventors of the subject matter which is claimed and for which a patent is sought on the invention for "SYSTEM AND METHOD FOR REMOTE STORAGE AND RETRIEVAL OF DATA"

the specification of which:

\_\_\_\_ is attached hereto.

\_\_\_\_ was filed as application serial no. \_\_\_\_\_ on \_\_\_\_\_, 2001, the status of which is **Pending**.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.

We acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### PRIOR FOREIGN APPLICATIONS

| Number | Country | Date Filed | Priority Claimed (Yes/No) |
|--------|---------|------------|---------------------------|
|        |         |            |                           |
|        |         |            |                           |

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose

material information as defined in Title 37, Code of Federal Regulations, §1.56(a) regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

#### **PRIOR UNITED STATES APPLICATIONS**

We hereby declare that all statements made of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Application<br>Serial Number | Filing Date | Status |
|------------------------------|-------------|--------|
|                              |             |        |
|                              |             |        |
|                              |             |        |

## POWER OF ATTORNEY

On behalf of **If & Then** Assignee of my entire right, title and interest, we hereby appoint the following attorney(s) and/or agent(s) with full power of substitution to act exclusively for it to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Barry N. Young (Reg. No. 27,774); Timothy W. Lose (Reg. No. 35,255); Steven R. Sprinkle (Reg. No. 40,825); William N. Hulsey III (Reg. No. 33,402); Terrance A. Meador (Reg. No. 30,298); Ramsey R. Stewart (Reg. No. 38,322); June M. Learn (Reg. No. 31,238); Timothy N. Ellis (Reg. No. 41,734); William G. Goldman (Reg. No. 42,590); Sheila Kirschenbaum (Reg. No. 44,835); Charles D. Gavrilovich, Jr. (Reg. No. 41,031); Gerald W. Maliszewski (Reg. No. 38054); Hayward A. Verdun (Reg. No. 43,223); Armando Pastrana, Jr. (Reg. No. 44,997); Lisa A. Haile (Reg. No. 38,347); Sal Lim (Reg. No. 45,706); Joseph R. Baker, Jr. (Reg. No. 40,900); Richard J. Imbra (Reg. No. 37,643); Mark L. Berrier (Reg. No. 35,066); Mark M. Takahashi (Reg. No. 30,103); Eric N. Hoover (Reg. No. 37,355); George C. Limbach (Reg. No. 19,305); Ronald L. Yin (Reg. No. 27,607); Alan A. Limbach (Reg. No. 39,749); Edward B. Weller (Reg. No. 37,468); Peter R. Leal (Reg. No. 24,226); David Alberti (Reg. No. 43,465); Gerald T. Sekimura (Reg. No. 30,103); James P. Cleary (Reg. No. 45,843); K. Jun Kim (Reg. No. 43,335); Karl A. Limbach (Reg. No. 18,689)

All correspondence should be addressed to:

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All telephone calls should be directed to William Goldman, telephone number (650) 320-7484 or 650/833-2000.

|  |   |
|--|---|
| Inventor's Full Name:                      | Krimo Salem                                     |
| Inventor's Signature:                      |   |
| Date:                                      |   |
| Residence:<br>(City, State and/or country) | Los Gatos, CA                                   |
| Citizenship:                               | US  |
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|  |   |
|--|---|
| Inventor's Full Name:                      | Andrew Rowe                                     |
| Inventor's Signature:                      |   |
| Date:                                      |   |
| Residence:<br>(City, State and/or country) | Los Gatos, CA                                   |
| Citizenship:                               | US  |
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|  |   |
|--|---|
| Inventor's Full Name:                      | Ryan Yu   |
| Inventor's Signature:                      |   |
| Date:                                      |   |
| Residence:<br>(City, State and/or country) | San Jose, CA                                    |
| Citizenship:                               | US  |
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| Inventor's Full Name:                      | Ziad Chbeir  |
| Inventor's Signature:                      |  |
| Date:                                      |  |
| Residence:<br>(City, State and/or country) | Croton-on-Hudson, New York                         |
| Citizenship:                               | US and Lebanese                                    |
| Post Office Address:                       | 31 High Street<br>Croton-on-Hudson, New York 01520 |

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## ASSIGNMENT

WHEREAS, Krimo Salem, Andrew Rowe, Ryan Yu and Ziad Chbeir made certain inventions or discoveries (or both) set forth in an Application for Letters Patent of the United States of America entitled "*SYSTEM AND METHOD FOR REMOTE STORAGE AND RETRIEVAL OF DATA*"

issued as U.S Patent No. \_\_\_\_\_  
 filed as U. S. Serial No. \_\_\_\_\_ on \_\_\_\_\_  
 filed herewith

WHEREAS, If & Then, Inc., a corporation whose address is 1885 Winchester Blvd., Campbell, California 95008, and who, together with its successors and assigns is hereinafter called "Assignee", is desirous of acquiring the entire right, title and interest together with the benefits and privileges hereinafter recited;

NOW, THEREFORE, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, effective as of the date this document is executed, hereby, without reservation;

1. Assign, transfer and convey to Assignee the entire right, title and interest together with the benefits and privileges in and to said inventions and discoveries, said Application for Letters Patent or similar forms of protection of the United States of America, and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and convention applications based in whole or in part upon said inventions or discoveries, or upon said application, and any and all Letters Patent, reissues and extensions of Letters Patent or similar forms of protection granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries or groups of countries on any or all of said inventions and discoveries in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or any other relevant convention or treaty or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein, or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any rights in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or

them, all acts reasonable serving to assure that said inventions and discoveries, said patent applications and said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing any facts of our conceptions, disclosures, and reduction to practice of said inventions or discoveries.

IN WITNESS WHEREOF

Date \_\_\_\_\_

Krimo Salem

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Witness

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Witness

IN WITNESS WHEREOF

Date \_\_\_\_\_

Andrew Rowe

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IN WITNESS WHEREOF

Date \_\_\_\_\_

Ryan Yu

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IN WITNESS WHEREOF

Date \_\_\_\_\_

Ziad Chbeir

Witness

Witness

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